IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Charles Joel Amtzen

Dominic Man-Kit Lam

§ GROUPNO.:

SERIAL NO.:

08/479,742

8 EXAMINER:

FILED:

June 7, 1995

§

FOR:

Vaccines Expressed in Plants

Attorney Docket No.: 1621-00206

Date: August 22, 1996

TRANSMITTAL OF COMBINED DECLARATION AND POWER OF ATTORNEY OF CHARLES J. ARNTZEN

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Transmitted herewith for filing in the above-identified matter is a Combined Declaration and Power of Attorney signed by Charles J. Armtzen, with a copy of the specification, claims, drawings and preliminary amendment attached. By this filing, Dr. Armtzen joins in the prosecution of this application, as provided under 37 C.F.R. § 1.47(b).

Applicants believe that no fee is due as a result of filing this paper. If the Commissioner deems that a fee is owing, please charge the same to Deposit Account No. 03-2769 of Conley, Rose & Tayon, P.C., Houston, Texas.

Respectfully submitted,

CERTIFICATE OF MAILING (37 CFR 1.84)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class U.S. Mal in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

8-23-96

Printed name places on malling paper

(Signature of person mailing paper)

C. Steven McDaniel

Reg. No. 33,962

Conley, Rose & Tayon, P.C.

P.O. Box 3267

Houston, Texas 77253-3267

(713) 238-8010 Fax (713) 238-8008

ATTORNEY FOR APPLICANTS

Expre) ail Label #180/119410105
Attorney's Docket No.: 1560-00206

COMBINED DECLARATION AND POWER OF ATTORNEY (ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION OR CIP)

•			entor, I hereby declare that		•
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claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

	(c)		was desc	cribed and claimed in PCT Into	ernational Application N ended under PCT Article	
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				which is material to patentabili	ty as defined in 37, Cod	e of Federal Regulations,
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			ir W is	nd which is material to to information where there is a sevould consider it important is ssue as a patent, and	ubstantial likelihood than deciding whether to	it a reasonable examiner allow the application to
			C		duty there is attached a ce with 37 CFR 1.98.	an information disclosure
ŧ.				PRIORITY CLAIM (35	5 U.S.C. § 119)	
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				(complete (d	') or (e)	
	(d)		no such a	applications have been filed.		
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	NO	TE:		(cl is entered above and the internick item (a), enter the details below		signated the U.S. itself claimed
			(6)	FOREIGN/PCT APPLICATIO MONTHS FOR DESIGN) PRIC ND ANY PRIORITY CLAIMS	OR TO THIS APPLICAT	ION
		COUNTR INDICA PCT	TE IF	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119

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☐ YES NO ☐

☐ YES NO ☐

☐ YES NO □

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

	PCT/US94/02332	4 Ma	rch 1994		
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NOTE:	this application entering the part, then also complete Al	e United States a DDED PAGES TO (from the filing date of this applic s (1) the national state, or (2) a co COMBINED DECLARATION AND A benefit of the prior U.S. or PCT a	ntinuetion, division POWER OFATTORA	el, or continuation-in IEY FOR DIVISIONAL
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			orney(s) and/or agent(s) to Trademark Office connec		s application an
	Ned L. Conley	19,204	Gregory L. Maag	32,363	
	Kevin L. Daffer	35,146	Eric B. Meyertons	34,876	
	Michael F. Heim	32,702	Leslie V. Payne	P38,267	•
	Shawn Hunter	36,168	David A. Rose	26,223	
	Bruce Noël Kivlin	33,929	Jeffrey W. Tayon	30,717	
	C. Steven McDaniel	33,962	Marcella W. Watkins	36,962	
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DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

NOTE: Corefully indicate the family (or last) name as it should appear on the filing receipt and all other documents,

Full name of sole or first inve	entor:	
CHARLES	JOEL	ARNTZEN
IGIVEN NAMEI //	MINIDDLE MITTAL OR NAME!	FAMILY IOR LAST NAMEJ .
Inventor's signature:	cus of Clerky	
Date:	Country of C	Citizenship: U.S.A
Residence: The Woodlar	ids, Texas	
Post Office Address: 58 B	ridgeberry, The Woodlands, Te	xas 77381
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Full name of second joint inve	ntor, if any:	•
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Inventor's signature:		
Date:	Country of Cit	fizenship: U.S.A.
Residence: The Woodla	nde Toyas	
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CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH FORM A PART OF THIS DECLARATION

	Signature for fourth and subsequent joint inventors. Number of pages added:	
	* * *	
	Signature by administrator(trix), executor(trix) or legal representative for deceased or incommenter. Number of pages added	apacitated
	· **	
	Signature for inventor who refuses to sign or cannot be reached by person authorized CFR 1.47. Number of pages added	under 37

	Added page for signature by one joint inventor on behalf of deceased inventor(s) we representative cannot be appointed in time (37 CFR 1.47).	ere legal
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Ø	Added pages to combined declaration and power of attorney for divisional, continuation-in-part (C-I-P) application. Number of pages added 1	ution, or

	Authorization of attorney(s) to accept and follow instructions from representative.	
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	(If no further pages form a part of this Declaration, then end this Declaration with this check the following item:)	page and
	This declaration ends with this page.	• •

COMBINED DECLARATION AND POWER OF ATTORNEY (ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION OR CIP)

	CONTINUATION OR CIP)	
As a below na	amed inventor, I hereby declare that:	
•	TYPE OF DECLARATION	
The declaration	n is of the following type: (check one applicable item below)	
	☐ design	
	supplemental	
NOTE:	If the declaration is for an International Application being filed as a divisional, continuation or continuation-in- part application, do <u>not</u> check next item; check appropriate one of last three items.	
	national state of PCT	
NOTE:	If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.	
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:	INVENTORSHIP IDENTIFICATION	
를 한 WARNING: 그	If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.	
the original, fi inventor (if plu	post office address and citizenship are as stated below next to my name. I believe I am irst and sole inventor (if only one name is listed below) or an original, first and joint aral names are listed below) of the subject matter which is claimed and for which a patent the invention entitled:	•
•	TITLE OF INVENTION	
	VACCINES EXPRESSED IN PLANTS	
	SPECIFICATION IDENTIFICATION	
The specificati	tion of which: (complete (a), (b) or (c)	
(a) 🔲	is attached hereto	
(b) 🔯	was filed on June 7, 1995 as 🖾 Serial No. 08/479,742 and was amended by Preliminary Amendment filed concurrently therewith.	۲.
NOTE:	Amendments filed after the original papers are deposited with the PTO which contain new matter are no accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments	•

claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

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107	,,,,,	and as amended under PCT Article 19 on
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		te that I have reviewed and understand the contents of the above-identified and the claims, as amended by any amendment referred to above.
l ackr	nowledg	e the duty to disclose information
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100 Marie 100 Ma		PRIORITY CLAIM (35 U.S.C. § 119)
application(s) at least one of below any f application(s)	for pate country oreign designa	of foreign priority benefits under Title 35, United States Code, § 1 19 of any foreign cent or inventor's certificate or of any PCT international application(s) designating other than the United States of America listed below and have also identified application(s) for patent or inventor's certificate or any PCT international atting at least one country other than the United States of America filed by me on atter having a filing date before that of the application(s) of which priority is
		(complete (d) or (e))
(6)	no su	ch applications have been filed.
(e) 🖾	such	applications have been filed as follows.
NOTE:		item (c) is entered above and the International Application which designated the U.S. itself claimed check item (e), enter the details below and make the priority claim.
	A. PR	IOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
	·	•	☐ YES NO ☐
			☐ YES NO ☐
	·		☐ YES NO ☐

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

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gistra			orney(s) and/or agent(s) t Trademark Office connec	o prosecute this application and ted therewith. (List name and
	Ned L. Conley	19,204	Gregory L. Maag	32,363
22	Kevin L. Daffer	35,146	Eric B. Meyertons	34,876
	Michael F. Heim	32,702	Leslie V. Payne	P38,267
7	Shawn Hunter	36,168	David A. Rose	26,223
-	Bruce Noël Kivlin	33,929	Jeffrey W. Tayon	30,717
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				(Name and telephone number)
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	, Rose & Tayon, P.C.			(713) 238-8010
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	on, Texas 77253-3267	,		
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DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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BIGNATURES

NOTE: Curefactly bediests the facility for lasti name on it should appear on the thing receipt and all other decourtersts.

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(Decleration and Power of Attorney — page 4 of 5)

CHECK PROPER BUX(ES) FOR ANY OF THE FOLLOWING ADUED PAGE(S) WHICH FORM A PART OF THIS DECLARATION

	Signature for fourth and subsequent joint inventors. Number of pages added:

	Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added

Ø	Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added 1

	Added page for signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time (37 CFR 1.47).
	* * * *
X	Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application. Number of pages added 1

	Authorization of attorney(s) to accept and follow instructions from representative.
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	(If no further pages form a part of this Declaration, then end this Declaration with this page and check the following item:)
	This declaration ends with this page.

Attorney's Docket No. 1560-00206

PATENT

Applicant or Patentee: Charles Joel Arntzen and Dominic Man-Kit Lam

Filed or Issued:

Serial or Patent No.: Not Yet Assigned June 7, 1995

For:

Vaccines Expressed in Plants

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9ff) and 1.27(c)) - SMALL BUSINESS CONCERN.

SIA	100 (37 Or it 1.5(i) and 1.27(c)) = SMALL DOSINEOS CONCLISIO				
I hereby decla	I hereby declare that I am				
the owner of the small business concern identified below:					
X	an official of the small business concern empowered to act on behalf of the concern identified below:				
INAME OF CO	ONCERN: Edible Vaccines, Inc.				
ADDRESS O	F CONCERN: 100 Hawthorn, Conroe, Texas 77301				
statement, (1) year of the co- or indirectly, of	the that the above identified small business concern qualifies as a small business concern 3 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees 41(a) and (b) of Title 35, United States Code, in that the number of employees of the iding those of its affiliates, does not exceed 500 persons. For purposes of this the number of employees of the business concern is the average over the previous fiscal incern of the persons employed on a full-time, part-time or temporary basis during each idea of the fiscal year, and (2) concerns are affiliates of each other when either, directly one concern controls or has the power to control the other, or a third-party or parties is the power to control both.				
pusiness conc	re that rights under contract or law have been conveyed, to and remain with the small em identified above with regard to the invention, entitled Vaccines Expressed in Plants Charles Joel Amtzen and Dominic Man-Kit Lam described in				
	the specification filed herewith.				
⊠	application serial no. 08/479,742, filed June 7, 1995.				
	patent no, issued				
If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).					

*NOTE:

Separate verified statements are required from each named person, concern or organization having rights to the invention evering to their status as small entities. (37 CFR 1.27).

ADDRESS:				
INDIVIDUAL	SMALL BUS	INESS CONCERN	☐ NONPROFI	T ORGANIZATION
FULL NAME:				
INDIVIDUAL	☐ SMALL BUS	INESS CONCERN	☐ NONPROF	T ORGANIZATION
INDIVIDUAL	SMALL BUS	INESS CONCERN	☐ NONPROFI	T ORGANIZATION
I hereby declare that all st made on information and with the knowledge that imprisonment, or both, ur false statements may jee patent to which this verif	atements made here belief are believed to willful false state ader Section 1001 opportunity	to be true; and furth ments and the like f Title 18 of the Unit of the application,	er that these state so made are pur ed States Code, a	ements were made nishable by fine or nd that such willful
NAME OF PERSON SIGNING:		Dr. Dominic Man-Kit Lam		
TITLE OF PERSON OTHER THAN OWNER:		President		
ADDRESS OF PERSON SIGNING:		100 Hawthorn, Conroe, Texas 77301		
••				
SIGNATURE:	mo	7. D:	ate: July	14 95

PATENT
P00245US4
PRODIGENE, INC.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: ARNTZEN, Charles J. et al GROUP ART NO. 1806

SERIAL NO: 08/479,742 EXAMINER:

FILED: June 7, 1995

TITLE: VACCINES EXPRESSED IN PLANTS

REVOCATION OF PRIOR POWERS, APPOINTMENT OF NEW POWER OF ATTORNEY AND CHANGE OF ADDRESS

To the Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

As ASSIGNEE of the entire right, title and interest of the above identified, ProdiGene, Inc. hereby

REVOCATION OF PRIOR POWERS OF ATTORNEY

Revoke all powers of attorney of Ned L. Conley,

Registration No. 19,204; Kevin L. Daffer, Registration No.

35,146; Michael F. Heim, Registration No. 32,702; Shawn

Hunter, Registration No. 36,168; Bruce Noel Kivlin,

Registration No. 33,929; C. Steven McDaniel, Registration No.

33,962; Gregory L. Maag, Registration No. 32,363; Eric B.

Meyertons, Registration No. 34,876; Leslie V. Payne,

Registration No. P38,267; David A. Rose, Registration No.

26,223; Jeffrey W. Tayon, Registration No. 30,717; and

Marcella W. Watkins, Registration No. 36,962; Texas Commerce

Tower, 600 Travis, Suite 1850, Houston, Texas 77002-2912, previously given and

NEW POWER OF ATTORNEY

Hereby appoint the following attorneys to prosecute and transact all business in the Patent and Trademark Office connected therewith:

Donald H. Zarley, Registration No. 18,543; Bruce W. McKee, Registration No. 19,651; Dennis L. Thomte, Registration No. 22,497; Michael G. Voorhees, Registration No. 25,715; Edmund J. Sease, Registration No. 24,741; Mark D. Hansing; Registration No. 30,643; Kirk M. Hartung, Registration No. 31,021; Mark D. Frederiksen, Registration No. 31,357; Daniel J. Cosgrove, Registration No. 36,770; Michael R. Crabb, Registration No. 37,298; Heidi S. Nebel, Registration No. 37,719; Bruce A. Johnson Registration No. 37,361; Wendy K. Hartung, Registration No. 39,705; and Jeffrey D. Harty, Registration No. P-40,639; 801 Grand Avenue, Suite 3200, Des Moines, Iowa 50309-2721.

CHANGE OF ADDRESS

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Heidi S. Nebel
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The undersigned further declares that he is an officer of Assignee corporation and is authorized to sign the Power of Attorney on behalf of said corporation.

od. John Howard

President

ProdiGene, Inc.

1500 Research Pkwy., Suite 220 College Station, Texas 77845

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Dated:

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10-10-97

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT ARNTZEN, et al. SERIAL NO CONT. of 08/481,552

FILED August 9, 2001

TITLE VACCINES EXPRESSED IN PLANTS

Grp./A.U. 1645

Docket No. P00245USG

STATEMENT UNDER 37 C.F.R. § 3.73(b) ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

PRODIGENE, INC., the assignee of the entire right, title and interest hereby seeks to take action in the PTO in this matter.

An assignment from inventor Charles J. Arntzen to Terramed, Inc. was recorded in the PTO in the parent case (SN 07/750,049 filed August 26, 1991) at Reel/Frame 8138/0405 on September 26, 1996; from inventor Dominic Man-Kit Lam to Terramed, Inc. was recorded in the PTO in the parent case (08/479,742 filed June 7, 1995) at Reel/Frame 8763/0499 on October 7, 1997; from Terramed, Inc. to Prodigene, Inc. was recorded in the PTO in the parent case (SN

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this document and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Assistant Commissioner for Patents, Washington, D.C. 20237, prior to 5:00 p.m. on the 9th day of August, 2001.

Patricia E. Wilson

Express Mail Label # EL745291130US

08/479,742 filed June 7, 1995) at Reel/Frame 8763/0450 on October 7, 1997.

Respectfully submitted,

Heidi S. Nebel, Reg. No. 37,719

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